

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB 00-387-P)**

In re Application of:)	
)	
Benkovic, et al.)	Examiner: Kwon, Brian Yong
)	
Serial No. 10/615,703)	Art Unit: 1614
)	
Filed: 07/09/2003)	Confirmation No.: 5892
)	
For: Treatment of Bacterial Induced)	
Diseases Using DNA Methyl)	
Transferase Inhibitors)	

Attn: Petitions Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RENEWED PETITION TO ACCEPT AN
UNINTENTIONALLY DELAYED PRIORITY CLAIM**

Dear Sir:

In accordance with 37 C.F.R. § 1.78(c), Applicant respectfully renews its petition for the above referenced application to also claim the benefit of prior provisional U.S. application having U.S. Ser. No. 60/250,202, filed November 30, 2000.

The original petition filed on October 1, 2009 was dismissed for 1) failing to provide the necessary relationship between the applications and 2) for incorporating new matter into the specification through the insertion of an incorporation by reference statement.

Applicant submits herewith an Amendment (marked to show the changes made) to the specification to provide the necessary relationship between all applications in the priority chain, as required under 37 C.F.R. § 1.78(c)(1).

This application claims priority as a continuation-in-part to U.S. Application Serial No. 09/996,420, filed 29 November 2001, now abandoned, which claimed priority from ~~from a~~ U.S. provisional patent application Serial No. 60/250,202, filed November 30, 2000; this application is also a continuation-in-part of U.S. Serial No. 09/578,991, filed 25 May 2000, now abandoned, which claimed priority to U.S. provisional patent application Serial No. 60/135,870, filed 25 May 1999; U.S. provisional patent application Serial No. 60/154,582, filed 17 September 1999; and U.S. provisional patent application Serial No. 60/174,256, filed 3 January 2000; 2000, this application also claims priority from ~~and~~ U.S. Serial No. 09/269,137, filed 16 March 1999, now U.S. Patent No. 6,413,751, which is a national phase application based on PCT/US97/16593, which claimed priority to U.S. provisional patent application Serial No. 60/020,089, filed 19 September 1996, the disclosures of which are all hereby incorporated by reference in their entirety except for the disclosure in U.S. provisional patent application Serial No. 60/250,202, which is not incorporated by reference.

Furthermore, Applicants have 1) limited the incorporation by reference statement to only those applications filed in the original specification; 2) added the priority claim to U.S. Application No. 60/250,202, filed November 30, 2000; 3) clarified that the instant application is a continuation-in-part of U.S. Serial No. 09/578,991; 4) clarified the relationship with U.S. Serial No. 09/269,137, filed 16 March 1999, and other applications in that family; 5) removed an occurrence of

"a;" and 6) changed a comma to a semi-colon. These amendments do not introduce new matter.

And finally, Applicants submit that the entire delay between the date the claim was due and the date the priority claim was filed was unintentional.

Applicants believe that no charge is due in this renewed petition; however, if necessary, the Office is authorized to charge any deficiencies in fees or crediting any overpayment in fees to Deposit Account No. 13-2490, including the surcharge required by 37 CFR § 1.17(t).

Respectfully submitted,

Date: January 22, 2010

By: /Bradley W. Crawford/
Bradley W. Crawford
Registration No. 50,494

Telephone: 312-913-0001 (general)
Facsimile: 312-913-0002

**McDonnell Boehnen
Hulbert & Berghoff LLP**
300 South Wacker Drive
Chicago, IL 60606